

E-FILED on February 22, 2007

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Attorneys for Debtors and Debtors-in-Possession

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:
 USA COMMERCIAL MORTGAGE COMPANY,
 Debtor.

Case No. BK-S-06-10725 LBR
 Case No. BK-S-06-10726 LBR
 Case No. BK-S-06-10727 LBR
 Case No. BK-S-06-10728 LBR
 Case No. BK-S-06-10729 LBR

In re:
 USA CAPITAL REALTY ADVISORS, LLC,
 Debtor.

In re:
 USA CAPITAL DIVERSIFIED TRUST DEED
 FUND, LLC,
 Debtor.

Chapter 11

In re:
 USA CAPITAL FIRST TRUST DEED FUND, LLC,
 Debtor.

Jointly Administered Under
 Case No. BK-S-06-10725 LBR

In re:
 USA SECURITIES, LLC,
 Debtor.

DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR ORDER SHORTENING TIME TO HEAR MOTION TO PERMIT DEBTOR TO REMAIN ON LEASED PREMISES FOR LIMITED POST-EFFECTIVE DATE PERIOD

Affects:
☒ All Debtors
☐ USA Commercial Mortgage Company
☐ USA Securities, LLC
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA First Trust Deed Fund, LLC

Date: OST Requested for March 1, 2007
 Time: OST Requested for 9:30 a.m.

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1 Jeanette E. McPherson, Esq. of Schwartzer & McPherson Law Firm, under penalties of
 2 perjury, hereby declares on this 22nd day of February, 2007 that:

3 1. A Motion To Permit Debtor To Remain On Leased Premises for Limited Post-
 4 Effective Date Period (the "Motion") has been filed. The Motion requests an order allowing USA
 5 Commercial Mortgage Company ("USACM") to continue to occupy its current offices located at
 6 4480 South Pecos Road, Las Vegas, Nevada 89121 through March 31, 2007.

7 2. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

8 3. This Motion is requested to be heard at the March 1, 2007 omnibus hearing on
 9 shortened time because pursuant to the Debtors' Third Amended Joint Chapter 11 Plan of
 10 Reorganization which was confirmed by the Bankruptcy Court on January 8, 2007, all unexpired
 11 leases existing between the Debtors and any other entity are rejected upon the Effective Date
 12 which is expected to occur in early March, 2007. The Debtors will vacate and turnover the 4484
 13 South Pecos Road office building upon the rejection of the lease on the Effective Date; however, it
 14 is necessary that USACM be allowed to continue to occupy the adjacent Leased Premises through
 15 March 31, 2007 because USACM needs to provide loan services as sub-servicer to Compass
 16 Partners, LLC ("Compass") under the arrangements previously authorized by this Court while
 17 Compass proceeds with its licensing application. There is no reason to delay the Effective Date of
 18 the Plan on account of the sub-servicing, but office facilities are required.

19 DATED this 22nd day of February, 2007.

20 /s/ Jeanette E. McPherson
 Jeanette E. McPherson